

**BOULT  
CUMMINGS  
CONNERS  
& BERRY**

PLC

LAW OFFICES  
414 UNION STREET, SUITE 1600  
POST OFFICE BOX 198062  
NASHVILLE, TENNESSEE 37219

April A. Ingram  
(615) 252-2302  
Fax: (615) 252-6302  
Email: aingram@bccb.com

TELEPHONE (615) 244-2582

FACSIMILE (615) 252-2380

INTERNET WEB <http://www.bccb.com/>

February 1, 2001

**VIA HAND DELIVERY**

David Waddell  
Executive Director  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

Re: Application of Community Telephone Corporation for a Certificate of  
Convenience and Necessity as a Competing Telecommunications Service  
Provider  
Docket No. C1-CC112

Dear Mr. Waddell:

Community Telephone Corporation ("Community Telephone" or "Applicant") hereby submits the enclosed Application, seeking authority to operate as a provider of facilities-based and resold telecommunications services within the state of Tennessee. An original and thirteen (13) copies are provided. Filed under separate cover is Exhibit "3" to the Application, which contains the Applicant's financial statements. Because this information is highly confidential and proprietary, Community Telephone requests that the Tennessee Regulatory Authority not disclose this financial information to the public or to any of Community Telephone's competitors.

Also enclosed is a check in the amount of \$25.00 for filing fees. Notice of this filing has been served on interested parties.

Please date-stamp the two additional copies provided and return them to the undersigned. If you have any questions concerning this matter, or if you require additional information, please give me a call at 252-2302.

February 1, 2001  
Page 2

Very truly yours,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

A handwritten signature in black ink, appearing to read "April A. Ingram". The signature is fluid and cursive, with a large initial "A" and a long, sweeping underline.

By:  
April A. Ingram

AAI/

cc: Cole Hawks, Esq.  
Eric Rutherford

BEFORE THE  
TENNESSEE REGULATORY AUTHORITY

In the Matter of the Application of )  
Community Telephone Corporation )  
for a Certificate of Public Convenience )  
and Necessity to Provide Intrastate )  
Interexchange Services and Switched and )  
Special Access Local Exchange )  
and Resale Services )

TRA Docket No. 01-00112

APPLICATION OF COMMUNITY TELEPHONE CORPORATION.

I. INTRODUCTION

Pursuant to the provisions of TCA §§ 65-4-201 (b) , (c) & (d) and the rules and regulations of the Tennessee Regulatory Authority, Community Telephone Corporation, ("Community Telephone Corporation" or "Applicant") respectfully seeks a Certificate of Public Convenience and Necessity to provide intrastate interexchange telecommunications services, local exchange services through the use of its own facilities and the resold services of incumbent local exchange carriers and special access<sup>1</sup> local exchange services in the areas served by Bell South Telecommunications, Inc. ("Bell South") and Sprint Mid-Atlantic Telecommunications, Inc. ("Sprint") as defined by TCA § 65-4-101 (e).

---

<sup>1</sup> Community Telephone Corporation uses the term "special access" primarily to refer to providing customer access to interexchange carriers and interexchange carriers access to Community Telephone Corporation's customers.

Approval of this Application will promote the public interest by increasing the level of competition in the provision of telecommunications services in Tennessee. Therefore, Community Telephone Corporation respectfully requests that the Authority grant it a Certificate of Public Convenience and Necessity to provide the various telecommunications services described above. In support thereof, Community Telephone Corporation provides the following information.

## II. GENERAL

Applicant's legal name is Community Telephone Corporation. Applicant maintains its principal place of business at:

Community Telephone Corporation  
1419 W. Lloyd Expressway  
Evansville, IN 47710  
(812) 461-3355

Correspondence or communications pertaining to this application should be directed to Community Telephone Corporation's attorneys of record:

Ms. April A. Ingram  
Boult, Cummings, Conners & Berry PLC  
414 Union Street, Suite 1600  
Nashville, Tn. 37219  
(615) 252-2302 (Tel)  
(615) 252-6302 (Fax)

Questions concerning the ongoing operations of Community Telephone Corporation following certification should be directed to:

Joseph T. Buck III  
Community Telephone Corporation. LLC  
1419 W. Lloyd Expressway  
Evansville, IN 47710

(812)456-1288 (Tel)  
(812)461-3363 (Fax)

Questions concerning the corporate matters of Community Telephone Corporation should be directed to:

Mr. Cole Hawks  
Community Telephone Corporation  
8829 Bond Street  
Overland Park, KS 66214  
(913) 492-1230

Community Telephone Corporation is a privately held corporation incorporated under the laws of Kentucky. A corporate organizational chart, in addition to a copy of Community Telephone Corporation's Articles of Incorporation and authorization to do business in the State of Tennessee, is attached hereto at Exhibit 1.

### III. QUALIFICATIONS

#### A. Managerial Qualifications

Community Telephone Corporation has the managerial qualifications to provide the telecommunications services for which authority is requested in this Application. Community Telephone Corporation's management team has extensive telecommunications experience and expertise. As illustrated in the biographical information set forth in Exhibit 2, Community Telephone Corporation's management personnel have held executive positions with a number of companies in the communications industry prior to joining Community Telephone Corporation, which qualifies them to implement and provide the local exchange and interexchange services for which authority is requested.

### B. Financial Qualifications

Community Telephone Corporation is financially qualified to provide the telecommunications services for which authority is being requested in Tennessee. In particular, Community Telephone Corporation has access to the financing and capital necessary to conduct its telecommunications operations as specified in this application. This capital will be available to meet the current and future capital needs of Community Telephone Corporation's Tennessee operations. In support of Community Telephone Corporation's application, attached hereto as Exhibit 3 is a copy of Community Telephone Corporation's most recent financial statements, along with a three-year projected forecast. This exhibit is offered to demonstrate Community Telephone Corporation's financial ability to provide the proposed service.

Community Telephone Corporation is not projecting any amount of reciprocal compensation for the termination of ISP traffic, nor has it been compensated previously for the termination of ISP traffic.

### C. Technical Qualifications

Community Telephone Corporation has the technical qualifications to provide the telecommunications services for which authority is requested in Tennessee. Applicant will not require customers to purchase Customer Premises Equipment which cannot be used with the Incumbent Local Exchange Carrier's systems. Community Telephone Corporation will provide high quality (digital wherever possible) service, which will be available on a full-time basis, twenty-four hours a day, seven days a week. Community Telephone Corporation intends to construct local SONET ring networks, employing the latest in SONET transmission equipment to provide local facilities-based service. Community Telephone Corporation also intends to install

Coppercomm CSX switches in Nashville, Chattanooga, Knoxville, and Memphis. Community Telephone Corporation estimates that the cost of its network, switches and unbundled network elements will be two million dollars (\$2,000,000).

Community Telephone Corporation employs certified engineering support from both utility companies and engineering firms to produce detailed installation plans. It then hires certified contractors to install the equipment (electrical contractors to perform work in the electrical space and telecommunications contractors to perform work in the communications space).

#### IV. PROPOSED SERVICES

Community Telephone Corporation intends to offer resold intrastate interexchange services, switched and special access services, and local exchange service through the use of its own facilities and where necessary, using the unbundled network element - platforms offered by BellSouth and Sprint/United. Applicant will, upon certification and prior to commencing service, file its initial price list for end user services with the Authority.

##### A. Local Exchange Services

With respect to its local exchange offerings, Community Telephone Corporation intends to provide all forms of intrastate telecommunications services, including: (1) basic exchange services; (2) custom and CLASS features; (3) ancillary services (911, E911, directory listings, directory assistance, etc.); and (4) special access services. Community Telephone Corporation's rates for its local exchange end user offerings will depend largely upon its costs. The actual costs for Community Telephone Corporation's local exchange services cannot be

determined until Community Telephone Corporation has entered into interconnection agreements with Bell South and Sprint Mid-Atlantic.

B. Universal Service

Community Telephone Corporation will participate in the support of universally available telephone service at affordable rates according to the Authority's present and future orders.

C. Local Exchange Directory Services

Community Telephone Corporation intends to enter into or has already entered into agreements with Bell South's directory publisher as well as Sprint Publishing to include the names of its customers in the appropriate directories. According to these arrangements, the customers of both Community Telephone Corporation and ILECs will receive their directories through existing distribution network.

D. Service Areas

Community Telephone Corporation is seeking authorization to provide service throughout the entire state of Tennessee. However, Community Telephone Corporation does not propose to offer telecommunications services in areas served by any incumbent local exchange telephone company with fewer than 100,000 total access lines except for those that have voluntarily entered into an agreement with a competing telecommunications service provider or those that have applied to provide telecommunications services in an area outside its service area existing as of June 6, 1995 or unless otherwise permitted by applicable state or federal law.

Community Telephone Corporation does not, by this application, seek authority to provide service in any area served by a telephone cooperative.



#### E. Current Certifications

Community Telephone Corporation is currently authorized to provide local telecommunications services in Kentucky and Indiana, and is seeking authorization in Ohio and Illinois. The Applicant proposes to offer its services throughout the state of Tennessee, in areas that are currently being served by BellSouth and Sprint/United, which are designated open to competition.

#### F. Implementation Timeframe

After receiving regulatory approval from the Tennessee Regulatory Authority, Community Telephone intends to enter into interconnection agreements with BellSouth and Sprint/United. After entering into these interconnection agreements, Community Telephone Corporation intends to commence providing its telecommunication services in Tennessee as expeditiously as possible.

#### G. Repair and Maintenance

Community Telephone Corporation understands the importance of effective customer service for local service customers. Community Telephone Corporation has made arrangements for its customers to call the company at its toll-free customer service number, 1-888-703-1700. In addition, customers may contact the company in writing at the headquarters address, as well as via email at [csr@communitytelephone.com](mailto:csr@communitytelephone.com). The toll free number will be printed on the customer's monthly billing statements. The Tennessee contact person for this is Norma Carlton-Zoglman and she can be reached at 812-461-3355.

V. SMALL AND MINORITY-OWNED TELECOMMUNICATIONS BUSINESS PARTICIPATION PLAN

See Exhibit 4.

VI. TOLL DIALING PARITY PLAN

See Exhibit 5.

VII. NUMBERING ISSUES

Community Telephone Corporation expects a demand of ten thousand NXXs per NPA within a year of approval of this application. Community Telephone Corporation estimates that it will initially request one thousand NXXs per NPA from NANPA for each footprint established. The Applicant intends to establish footprints in the following areas and NPAs: Nashville (615) in June 2001, Knoxville (423) in October 2001, Memphis (901) in December 2001, and Tri-Cities (423) in March 2002. Community Telephone Corporation will usually assign telephone numbers sequentially within the NXX. However, in instances when a customer initiates the selection of non-sequential numbers, Community Telephone Corporation will evaluate the request on a case-by-case basis. If Community Telephone Corporation accepts the request, it will assign the non-sequential numbers from its existing inventory.

Community Telephone Corporation intends to conserve Tennessee numbering resources by reusing disconnected telephone numbers, through local number portability, and by using number pooling whenever available. The Applicant will initiate a request for new NXXs for growth once the current NXXs are ninety percent filled.

## VIII. TENNESSEE SPECIFIC OPERATIONAL ISSUES

Community Telephone Corporation will follow industry standard guidelines in complying with the toll-free countywide calling requirement in TCA §65-21-114. Community Telephone Corporation will build its database and program its switches in such a way that county identification information can be determined, and that in Tennessee, countywide calls will not be assessed a toll charge.

Community Telephone Corporation is generally aware of the Tennessee County Wide Calling database and as part of the interconnection implementation process, Community Telephone Corporation will coordinate with BellSouth to identify and follow applicable procedures for entry of Community Telephone Corporation's numbers in BellSouth's Tennessee County Wide Calling database. To ensure ongoing compliance with Tennessee's toll-free calling requirements, Community Telephone Corporation will continually update and modify its databases in a reasonable timeframe after availability.

To increase customer choice, Community Telephone Corporation intends to offer an optional service allowing customers to expand their local calling area to include other rate centers in the calling scope with unlimited toll-free calling. Community Telephone Corporation plans on offering this service to reflect the toll-free local calling scope of the incumbent LEC serving in the same market area. All basic and expanded local toll free calls will be measured by length of call, time of day call is placed, and distance called. This data will be collected and compiled and then processed by the internal billing systems to determine the billable calls.

Community Telephone Corporation is generally aware of the MAC database maintained by BellSouth and the process and procedures to enter the Community Telephone

Corporation telephone numbers into the database. As part of the interconnection implementation process, Community Telephone Corporation will coordinate with BellSouth to identify and follow applicable procedures for entry of Community Telephone Corporation's telephone numbers into the MAC database. Community Telephone Corporation will comply with Tennessee's toll-free requirements to continually process updates and modify its database in a reasonable amount of time after availability.

Community Telephone Corporation does not intend to telemarket its services in Tennessee.

## IX. MISCELLANEOUS

### A. Pre-filed Testimony

Sworn pre-filed testimony for John C. Greenbank and Lohn H. Weber is provided in Exhibit 6.

### B. Customer Deposits

Community Telephone Corporation will not routinely require customer deposits but may request them in certain circumstances. Community Telephone Corporation will state the terms, conditions, and amounts for such deposits in its tariffs, which it will submit for approval of the Authority. The Applicant is bonded for the amount of the deposits.

### C. Complaints

Community Telephone Corporation is not aware of any formal complaints filed against it.

## X. PUBLIC INTEREST

The granting of Community Telephone Corporation's application for local exchange and interexchange authority is in the public interest and will serve the public convenience and necessity. In enacting the Federal Telecommunications Act of 1996, the United States Congress determined that it is in the public interest to promote competition in the provision of telecommunications services, including local exchange services. Experience with competition in other telecommunications markets, such as long distance, competitive access, and customer premises equipment, demonstrates the benefits that competition can bring to consumers. Consumers are enjoying increased services, lower prices, higher quality, and greater reliability. This is true not only with respect to the service offerings of the new entrants, but also as a result of the response of incumbent monopoly providers to the introduction of competition.

Community Telephone Corporation's proposed services will provide multiple public benefits by increasing the competitive choices available to users in Tennessee. Enhanced competition in telecommunications services likely will further stimulate economic development in Tennessee. In addition, increased competition will create incentives for all carriers to offer lower prices, more innovative services, and more responsive customer service. Finally, as a provider of both long distance and local exchange services, Community Telephone Corporation will be able to offer its customers the benefits of "one stop" shopping.

## XI. CONCLUSION

The telecommunications industry is growing and changing at an impressive pace. The entry of Community Telephone Corporation into the local exchange and interexchange market

will promote the public interest by enhancing competition in the provision of telecommunications services within Tennessee. Community Telephone Corporation will bring significant benefits to telecommunications users in Tennessee. Community Telephone Corporation's expertise in the telecommunications sector will permit it to select the most economic and efficient services, thereby providing customers with an attractive combination of price, quality, and customer service. Accordingly, Community Telephone Corporation anticipates its proposed service will provide subscribers with better quality services and will increase consumer choice of innovative, diversified, and reliable service offerings.

WHEREFORE, Community Telephone Corporation requests that the Tennessee Regulatory Authority grant it a Certificate of Public Convenience and Necessity to provide facilities-based and resold intrastate interexchange services and switched and special access local exchange services in Tennessee.

Respectfully submitted this 1<sup>st</sup> day of February, 2001.

COMMUNITY TELEPHONE CORPORATION

By: \_\_\_\_\_

April A. Ingram, Esq.  
BOULT, CUMMINGS, CONNERS & BERRY, PLC  
414 Union Street  
Suite 1600  
Nashville, Tennessee 37219  
(615) 252-2302

Attorneys for Community Telephone Corporation

## VERIFICATION

State of Indiana )

)

County of Vanderburgh )

By this application, and participating in all proceedings necessary to effect certification, Applicant hereby asserts its willingness and ability to comply with all rules and regulations that the Tennessee Regulatory Authority may impose subject to Tennessee law as now or hereafter enacted.

COMMUNITY TELEPHONE CORPORATION

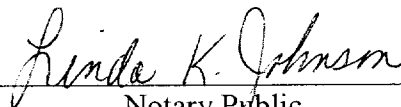
By:  \_\_\_\_\_

Name: John C. Greenbank

Title: Executive Vice President

Date: January 31, 2001

Sworn to and subscribed before me, the undersigned authority in and for the jurisdiction aforesaid, the within named John C. Greenbank, this 31st day of January, 2001.

  
\_\_\_\_\_  
Notary Public

My Commission Expires:

5/2008

## NOTICE OF FILING

Community Telephone Corporation has filed an Application with the Tennessee Regulatory Authority for a Certificate of Convenience and Necessity as a Competing Telecommunications Service Provider. The undersigned hereby certifies that a copy of this notice and a copy of the Application has been served on the following persons via U.S. Mail this 1st day of February, 2001:

Guy M. Hicks  
BellSouth Telecommunications, Inc.  
333 Commerce Street, Suite 2101  
Nashville, TN 37201-3300

T. G. Pappas, Esq.  
Bass, Berry & Sims  
2700 First American Center  
313 Deaderick Street  
Nashville, Tennessee 37238-2700

James B. Wright, Esq.  
United Telephone-Southeast, Inc.  
14111 Capital Boulevard  
Wake Forest, NC 27587-5900

Ardmore Telephone Company, Inc.  
Terry Wales, General Manager  
P.O. Box 549  
517 Ardmore Avenue  
Ardmore, TN 38449

Century Telephone of Adamsville  
David Dickey, Division Manager  
P.O. Box 405  
116 N. Oak Street  
Adamsville, TN 38310

Century Telephone of Claiborne  
Don Ray Fannon, Division Manager  
P.O. Box 100  
57 Main Street  
New Tazewell, TN 37825

Century Telephone of Ooltewah-Collegedale, Inc.  
Terry Crutchfield, Division Manager  
P.O. Box 782



5616 Main Street  
Ooltewah, TN 37363

Citizens Telephone Company of Tennessee  
Citizens Telecommunications Company of the Volunteer State  
Mike Swatts, State Regulatory Director, South  
P.O. Box 770  
300 Bland Street  
Bluefield, WV 24701

TDS Telecom-Tellico Telephone Company, Inc.  
P.O. Box 9  
102 Spence Street  
Tellico Plains, TN 37385-0009

Loretto Telephone Company, Inc.  
Louise Brown, President  
P.O. Box 130  
Loretto, TN 38469

Millington Telephone Company, Inc.  
W. S. Howard, President  
4880 Navy Road  
Millington, TN 38053

Sprint-United  
Steve Parrott  
Director-Regulatory Affairs  
112 Sixth Street  
Bristol, TN 37620

TDS Telecom-Concord Telephone Exchange, Inc.  
Jerry R. Parkerson, Manager  
P.O. Box 22610  
701 Concord Road  
Knoxville, TN 37933-0610

TDS Telecom-Humphreys County Telephone Company  
Bernard R. Arnold, Manager  
P.O. Box 552  
203 Long Street  
New Johnsonville, TN 37134-0552

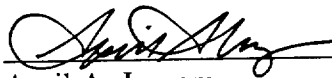
TDS Telecom-Tennessee Telephone Company  
P.O. Box 18139  
Knoxville, TN 37928-2139

TEC-Crockett Telephone Company, Inc.  
P.O. Box 7  
Friendship, TN 38034

TEC-People's Telephone Company, Inc.  
P.O. Box 310  
Erin, TN 37061

TEC-West Tennessee Telephone Company, Inc.  
P.O. Box 10  
244 E. Main Street  
Bradford, TN 38316

United Telephone Company  
P.O. Box 38  
120 Taylor Street  
Chapel Hill, TN 37034

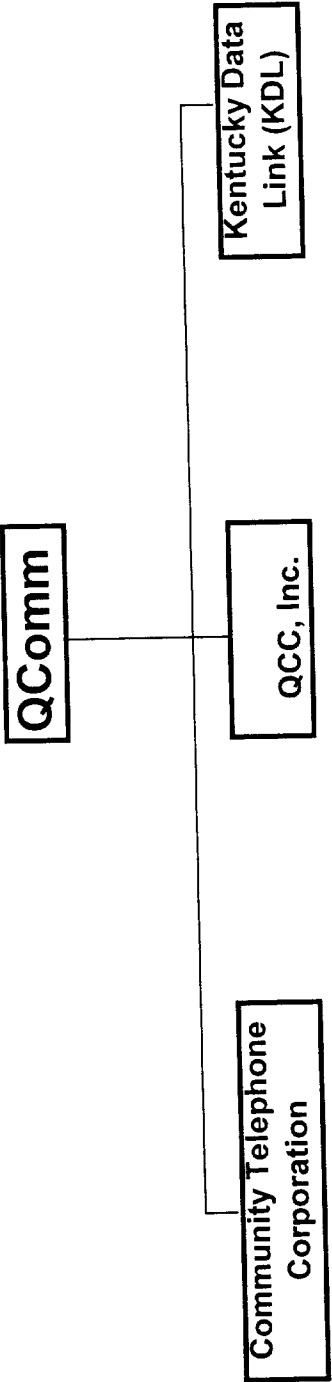
  
April A. Ingram

## **LIST OF EXHIBITS**

Exhibit 1	Organizational Chart Articles of Incorporation Certificate of Authority to do Business in Tennessee
Exhibit 2	Management and Technical Biographies
Exhibit 3	Financial Statements
Exhibit 4	Minority Business Plan
Exhibit 5	IntraLATA Toll Dialing Parity Plan
Exhibit 6	Prefiled Testimony

## **Exhibit 1**

Corporate Structure for Community Telephone Corporation



# Secretary of State

## Corporations Section

James K. Polk Building, Suite 1800

Nashville, Tennessee 37243-0306

DATE: 11/20/98  
REQUEST NUMBER: 3585-2426  
TELEPHONE CONTACT: (615) 741-2286  
FILE DATE/TIME: 11/18/98 1032  
EFFECTIVE DATE/TIME: 11/18/98 1032  
CONTROL NUMBER: 0291171

TO:  
COMMUNITY TELEPHONE CORPORATION  
8829 BOND ST

OVERLAND PARK, KS 66214

RE:  
COMMUNITY TELEPHONE CORPORATION  
APPLICATION FOR AMENDED CERTIFICATE OF  
AUTHORITY - FOR PROFIT

THIS WILL ACKNOWLEDGE THE FILING OF THE ATTACHED DOCUMENT WITH AN  
EFFECTIVE DATE AS INDICATED ABOVE.

WHEN CORRESPONDING WITH THIS OFFICE OR SUBMITTING DOCUMENTS FOR  
FILING, PLEASE REFER TO THE CORPORATION CONTROL NUMBER GIVEN ABOVE.

FOR: APPLICATION FOR AMENDED CERTIFICATE OF  
AUTHORITY - FOR PROFIT

ON DATE: 11/19/98

FROM:  
COMMUNITY TELEPHONE CORPORATION  
8829 BOND STREET

OVERLAND PARK, KS 66214-0000

RECEIVED:	FEES	\$0.00
TOTAL PAYMENT RECEIVED:		\$20.00

RECEIPT NUMBER: 00002388055  
ACCOUNT NUMBER: 00298339



*Riley C. Darnell*

RILEY C. DARNELL  
SECRETARY OF STATE

# Secretary of State

## Corporations Section

James K. Polk Building, Suite 1800  
Nashville, Tennessee 37243-0306

ISSUANCE DATE: 01/11/1996  
REQUEST NUMBER: 3099-2314  
TELEPHONE CONTACT: (615) 741-6488

CHARTER/QUALIFICATION DATE: 02/27/1995  
STATUS: ACTIVE  
CORPORATE EXPIRATION DATE: PERPETUAL  
CONTROL NUMBER: 0291171  
JURISDICTION: KENTUCKY

TO:  
WRIGHT BUSINESSES, INC.  
AT: SHAWN TURNER  
BOX 1337  
PADUCAH, KY 42002-1337

REQUESTED BY:  
WRIGHT BUSINESSES, INC.  
AT: SHAWN TURNER  
BOX 1337  
PADUCAH, KY 42002-1337

### CERTIFICATE OF AUTHORIZATION

I, RILEY C DARNELL, SECRETARY OF STATE OF THE STATE OF TENNESSEE DO HEREBY CERTIFY THAT

"WRIGHT BUSINESSES INC.",

A CORPORATION FORMED IN THE JURISDICTION SET FORTH ABOVE, IS AUTHORIZED TO  
TRANSACTION BUSINESS IN THIS STATE,  
THAT ALL FEES, TAXES, AND PENALTIES OWED TO THIS STATE WHICH AFFECT THE  
AUTHORIZATION OF THE CORPORATION HAVE BEEN PAID,  
THAT THE MOST RECENT CORPORATION ANNUAL REPORT REQUIRED HAS BEEN FILED  
WITH THIS OFFICE, AND  
THAT AN APPLICATION FOR CERTIFICATE OF WITHDRAWAL HAS NOT BEEN FILED.

FOR: REQUEST FOR CERTIFICATE

ON DATE: 01/11/96

FROM:  
WRIGHT BUSINESSES, INC.  
611 BROADWAY  
PO BOX 1337  
PADUCAH, KY 42000-1337

	FEES	
RECEIVED:	\$10.00	\$10.00
TOTAL PAYMENT RECEIVED:		\$20.00

RECEIPT NUMBER: 00001892664  
ACCOUNT NUMBER: 00219047



*Riley C Darnell*

RILEY C. DARNELL  
SECRETARY OF STATE

ARTICLES OF INCORPORATION  
OF  
WRIGHT BUSINESSES, INC.

DEC 21 1977

*Dwight P. Davis*  
m2 SECRETARY OF STATE

The undersigned, desiring to form a corporation, do hereby adopt the following Articles of Incorporation.

ARTICLE I

The name of the corporation shall be Wright Businesses, Inc.

ARTICLE II

The purpose of this corporation shall be to carry on the business of buying, manufacturing, selling, leasing and using machinery, devices, supplies, furniture and articles of every kind pertaining to or in any wise connected with the operation of a business or office including any and all types of security alarm systems and any and all devices, machinery, equipment and supplies that pertain to communications or sound equipment or systems and to carry on a general wholesale and retail merchandising business and to do any and all things necessary and pertinent to said business and to have all powers and privileges, directly and indirectly related thereto and shall include transactions of any and all lawful business as provided in Chapter 271A of the Kentucky Revised Statutes.

ARTICLE III

The duration of the corporation shall be perpetual.

ARTICLE IV

The corporation shall have the authority to issue one thousand (1000) shares of no par value common stock. Each share shall carry one vote and there will be no other class of stock.

ARTICLE V

The address of its registered office in this state shall be

EXHIBIT "A"



611 Broadway, Paducah, Kentucky 42001 and the name of the corporation's registered agent shall be A. D. Wright, Jr., 611 Broadway, Paducah, Kentucky 42001.

#### ARTICLE VI

The initial board of directors of this corporation shall be two and the names and addresses of the persons who are to serve as directors until the first annual meeting of the shareholders or until their successors are elected and qualified are Arthur D. Wright, 611 Broadway, Paducah, Kentucky and A. D. Wright, Jr., 611 Broadway, Paducah, Kentucky 42001.

#### ARTICLE VII

The names and addresses, including streets and numbers of the incorporators of said corporation shall be Arthur D. Wright, 611 Broadway, Paducah, Kentucky and A. D. Wright, Jr., 611 Broadway, Paducah, Kentucky 42001.

#### ARTICLE VIII

There are no provisions granting preemptive rights.

#### ARTICLE IX

Provisions for the regulation of the internal affairs of the corporation are to be more fully defined in the by-laws of said corporation and the board of directors may, from time to time, by a vote of the majority of its members make, alter, amend or rescind any of the by-laws of this corporation.

#### ARTICLE X

The minimum of capital at which this said corporation commences shall be ONE THOUSAND DOLLARS AND NO/100 (\$1000.00).

IN WITNESS WHEREOF, we have hereunto subscribed our names on this the 15<sup>th</sup> day of December, 1977.

A. D. Wright Jr.  
Arthur D. Wright

STATE OF KENTUCKY

COUNTY OF McCRACKEN

Subscribed and sworn to before me, a Notary Public, in and for the aforesaid state and county by the above named Arthur D. Wright who personally appeared and acknowledged that the same is his free act and deed.

Given under my hand and seal this 15<sup>th</sup> day of December, 1977. My commission expires 12/16/79.

  
Notary Public, Ky. At Large

STATE OF KENTUCKY


COUNTY OF McCRACKEN

Subscribed and sworn to before me, a Notary Public, in and for the aforesaid state and county by the above named A. D. Wright, Jr. who personally appeared and acknowledged that the same is his free act and deed.

Given under my hand and seal this 15<sup>th</sup> day of December, 1977. My commission expires 12/16/79.

  
Notary Public, Ky. At Large

PREPARED BY:

  
TOM GARRETT  
ATTORNEY AT LAW  
206-10 Guthrie Building  
Paducah, Kentucky

RECEIVED & FILE  
Ch \$ 100.00  
Oct 30 1 07 PM '95  
*Shirley Perry*

AMENDED AND RESTATED ARTICLES OF INCORPORATION  
OF  
WRIGHT BUSINESSES, INC.

Pursuant to KRS 271B.10-070, the undersigned corporation hereby executes the following Amended And Restated Articles Of Incorporation:

(A) The name of the corporation is Wright Businesses, Inc.

(B) The following Amended And Restated Articles Of Incorporation were adopted by the Shareholders of the Corporation at a meeting held on October 23, 1995, in the manner prescribed by the Kentucky Business Corporation Act:

1. The name of the corporation is Wright Businesses, Inc.
2. The street address of the registered office of corporation is 611 Broadway, Paducah, Kentucky 42001. The name of the registered agent is A. D. Wright, Jr.
3. The mailing address of the principal office of the corporation is 611 Broadway, Paducah, Kentucky 42001.
4. The total number of shares of common stock which may issued by the corporation is 3,000 no par value.
5. The business and affairs of the corporation are to be conducted by a board of directors, the number to be set in the manner provided in the Bylaws.
6. No director shall be personally liable to the corporation or its shareholders for monetary damages for breach of his duties as a director except to the extent that the applicable law from time to time in effect shall provide that such liability may not be eliminated or limited. Neither the amendment nor repeal

of this section shall affect the liability of any director of the corporation with respect to any act or failure to act which occurred prior to the amendment or appeal. This section is not intended to eliminate or limit any protection otherwise available to the directors of the corporation.

(C) The designation and number of shares entitled to vote on this matter is 1,000 shares of common stock. Present at the meeting were shareholders representing 1,000 shares of the common stock of the Corporation and which constitute all of the shareholders entitled to vote on such Amended And Restated Articles of Incorporation.

(D) The total number of votes cast by each voting group entitled to vote separately thereon for and against such amendment, respectively, was:

<u>Voting Group</u>	<u>Number of Votes Cast</u>	
	<u>For</u>	<u>Against</u>
Common Shareholders	1,000	0

(E) The foregoing Amended And Restated Articles Of Incorporation supersede the original Articles Of Incorporation and all previous amendments thereto.

IN WITNESS WHEREOF, the undersigned duly authorized officer has executed these Amended And Restated Articles Of Incorporation on this the 24th day of October, 1995.

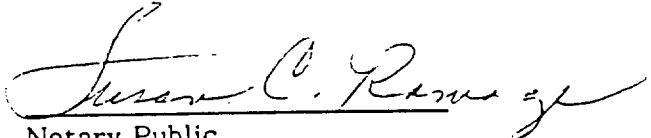
WRIGHT BUSINESSES, INC.

By: A. D. Wright, Jr.  
A. D. Wright, Jr. President

COMMONWEALTH OF KENTUCKY  
COUNTY OF McCRACKEN

The foregoing was subscribed, sworn to, and acknowledged before me by  
A. D. Wright, Jr., President of WRIGHT BUSINESSES, INC., on this 24<sup>th</sup> day of October,  
1995.

My commission expires: 10-7-97.

  
Notary Public

wbi.35

WBL35

# 85590

ARTICLES OF AMENDMENT  
OF  
ARTICLES OF INCORPORATION

FILED  
\$40.00  
SEP 30 1998  
CLERK OF COURT  
JUL 11 1998

WRIGHT BUSINESSES, INC., a corporation organized under the laws of the State of Kentucky, by its President and Secretary, does hereby certify:

1. That the board of directors of said corporation at a meeting duly convened and held on the 24<sup>th</sup> day September, 1998, passed a resolution declaring that the following change and amendment in the articles of incorporation is advisable:

RESOLVED that subsection (A) of the first paragraph of said Articles of Incorporation be amended to read as follows: " The name of the corporation is **COMMUNITY TELEPHONE CORPORATION**."

2. That the above amendment of the said Articles of Incorporation was adopted unanimously by the board of directors and without shareholder action. That pursuant to KRS 271B.10-010, et al., said adoption by the board of directors does not require the approval or action of the shareholders for said amendment.

IN WITNESS WHEREOF, the said President has caused this ARTICLES OF AMENDMENT to be signed by its President and its Secretary this 25<sup>th</sup> day of September, 1998.

WRIGHT BUSINESSES, INC.

By A.D. Wright President  
A.D. Wright, President

Shawn Turner  
Shawn Turner, Secretary

## **Exhibit 2**

## **COMMUNITY TELEPHONE CORPORATION MANAGEMENT PROFILES**

### Albert E. Cinelli, Chairman

Mr. Cinelli, a graduate of Lafayette College and Columbia University Law School, is Chairman of the Board of Community Telephone Corporation. Mr. Cinelli has been employed as General Counsel for several major corporations, including ELTRA Corporation and American Home Products in New York. Mr. Cinelli also worked for Marion Labs in Kansas City as Vice President and Chief Legal Counsel. Mr. Cinelli founded an interconnect company in Kansas City in 1985 and purchased Quest Communications in 1990. Currently, Mr. Cinelli is President of QCC, Inc., a multi-service long distance reseller, which merged with Quest Communications in 1994.

### John P. Cinelli, President

Mr. Cinelli received his Bachelor of Arts in International Regulations from Tufts University in 1984. Having worked for the Bank of Boston and Security Pacific, Mr. Cinelli's background is primarily in financial services. Mr. Cinelli managed CSI Corporation, a Kansas City interconnect company, and QCC, Inc., a multi-service long distance reseller, both companies are sister companies of Community Telephone Corporation.

### John C. Greenbank, Executive Vice President

Mr. Greenbank is Executive Vice President of Community Telephone Corporation. Prior to working with Community Telephone Corporation, Mr. Greenbank gained a vast amount of telecommunications experience as an applications engineer and senior engineer for a carrier in southern Missouri. After working in that capacity for more than ten years, Mr. Greenbank was hired to manage and operate CSI Corporation, a Kansas City interconnect company.

### Lohn H. Weber, Vice President, C.F.O., and Treasurer

A graduate of the University of Missouri, Columbia, Mr. Weber is a Vice President, Chief Financial Officer, and Treasurer of Community Telephone Corporation. Mr. Weber, a CPA with an extensive background in accounting, joined Community Telephone Corporation's senior management team in 1996. Prior to joining Community Telephone Corporation, Mr. Weber worked for Baird, Kurtz and Dobson, a Kansas City area public accounting firm.



## **COMMUNITY TELEPHONE CORPORATION TECHNICAL PROFILES**

### Joseph Buck, Director of New Market Development

Mr. Buck has held executive positions with a number of companies in the communications industry prior to joining Community Telephone Corporation. Mr. Buck was instrumental in forming the first CLEC in the state of North Carolina (PrivaCom, Inc.) and worked on the management team to secure TRA and Nashville city approvals for ICG Access Services as well as several other existing CLEC's.

### Tim Gimmel, Network Operations Manager

Mr. Gimmel oversees the day-to-day operation and maintenance of Community Telephone Corporation's transmission equipment. Mr. Gimmel also trains and supervises Community Telephone Corporation's trouble emergency response crew. Mr. Gimmel has been with Community Telephone Corporation since 1985.

### David Schleter, Switch Manager

Mr. Schleter oversees the day-to-day operation and maintenance of Community Telephone Corporation's switching equipment in Evansville, Indiana. Mr. Schleter also trains and supervises Community Telephone Corporation's trouble emergency response crew. Mr. Schleter has been with Community Telephone Corporation since 1998.

### **Exhibit 3**

**This exhibit contains confidential and proprietary information  
that is being filed separately under seal.**

## **Exhibit 4**

# **SMALL AND MINORITY OWNED TELECOMMUNICATIONS BUSINESS PARTICIPATION PLAN OF COMMUNITY TELEPHONE CORPORATION**

## **Policy Statement**

Community Telephone Corporation, (hereinafter referred to as "CT") acknowledges the importance of supporting small and minority owned telecommunications business participation in the telecommunications industry and the overall general business participation in the telecommunications business operations of Tennessee. Therefore it is the policy of CT to facilitate opportunities for Small Telecommunications and Minority Owned Telecommunications Businesses to compete for contracts and subcontracts for goods and services to CT. CT is committed to the identification and selection of said businesses in this respect.

Furthermore, with respect to CT's business operations in the state of Tennessee, it is the policy of CT to provide information on programs, if any, and provide technical assistance to Small Telecommunications and Minority Owned Telecommunications Businesses when and where available in Tennessee.

Furthermore, CT acknowledges its obligations to contribute its share to the fund established by the Department of Economic and Community Development in accordance with Section 17 of Chapter 408 of the Public acts of 1995 (the "Act") for the purpose of funding the Small and Minority Owned Telecommunications Business Assistance Program which provides for loan guarantees, technical assistance and services, and consulting education services.

## **Definitions**

"Act" – Section 16 and 17 of Chapter 408 of the Public Acts for 1995.

"Minority Owned Telecommunications Business" – a telecommunications business which is solely owned, or at least fifty-one percent (51%) of the assets or outstanding stock of which is owned, by an individual who personally manages the daily operations of such business, and who is impeded from normal entry into the economic mainstream because of race, religion, sex or national origin and such business has annual gross receipts of less than four million dollars (\$4,000,000.00), or as otherwise modified or amended in the future by the legislature of the State of Tennessee.

"Personally Manages" – actively involved in the day-to-day management.

"Controls" – exercising the power to make policy decisions.

"Who is impeded from normal entry" – individuals who have been subjected to racial or ethnic prejudice or cultural bias because of their identity as a member of a group without regard to their qualities as individuals and as provided in the regulations implementing Sections 8(a) and 7(j) of the Small Business Act, as amended by the Business Opportunity Development Reform Act of 1988, and Business Opportunity Development Reform Act Technical Corrections Act, (15 U.S.C. 637(a) and 636(j)), as amended by Pub. L. 100-656 and Pub. L. 101-37.

"Small Telecommunications Business" – a telecommunications company with annual gross receipts of less than four million dollars (\$4,000,000.00), or as otherwise modified or amended in the future by the legislature for the State of Tennessee.

"Subcontract" – any agreement (other than one involving an employer-employee relationship) entered into by CT with a non-affiliated company or individual calling for direct or indirect purchase of raw materials, components, supplies and services needed to support CT's operations.

### **Goal**

The goal of CT's Small and Minority Owned Telecommunications Business Participation Plan is to identify Small Telecommunications Businesses and Minority Owned Businesses which are qualified to provide goods and services and to promote awareness among Small Telecommunications Businesses and Minority Owned Telecommunications Businesses as to opportunities to develop business relationships with CT.

### **Plan Implementation**

CT will invite bids, or issue reports for proposals, or otherwise solicit offers from Small and Minority Owned Telecommunication Businesses, except in the case of emergencies, or in cases where CT is bound by contract to purchase goods and services from other sources, to furnish specified goods and services to CT in furtherance of CT's Tennessee operations.

### **Plan Administration**

In conducting its business affairs in Tennessee, CT will appoint one of its employees as the Administrator of the Small and Minority Owned Telecommunications Business Participation Plan. The Administrator will be responsible for obtaining and utilizing available resources for identifying Small and Minority Owned Telecommunications Businesses interested and qualified in furnishing good and services to CT and to cultivate an awareness among such businesses as to any opportunities to develop business relations with CT. The Administrator will also serve as a resource for technical assistance to Small and Minority Owned Telecommunications Businesses and will refer such businesses to sources of information and other technical assistance.

### Plan Administrator

The administration of this Plan will be under the direction of (hereinafter called the "Administrator"):

Name: John C. Greenbank  
Title: Vice President  
Address: 1419 West Lloyd Expressway  
Suite 100  
Evansville, IN 47710

Telephone: (812) 461-3355  
Facsimile: (812) 461-3357

The duties of the Administrator are, among other things:

1. To develop policies and procedures to assure success of the Plan.
2. To maintain a current Plan acceptable to the Tennessee Regulatory Authority.
3. To conduct certification surveys as to the status of suppliers.
4. To establish and maintain a database and records in support of the Plan pursuant to the requirements of the Tennessee Regulatory Authority.
5. To search diligently for qualified small and minority owned telecommunications businesses and concerns through:
  - a. The Small Business Administrations' Procurement Automated Source System (PASS), and publications of the Office of Minority Business Data Center in the Department of Commerce and the Office of Minority Small Business and Capital Ownership Development in the Small Business Administration.
  - b. Local and national associations and Minority Suppliers Development councils.
  - c. Participation in trade fairs and industry meetings.
6. To prepare and submit forms and information as may be required by the Tennessee Regulatory Authority.
7. Maintain liaison and cooperation with the Tennessee Regulatory Authority, and other agencies of the state of Tennessee to find and utilize qualifying the business concerns defined herein.
8. To support activities for assisting buyers in locating and qualifying the business concerns defined herein.
9. To provide required records and reports to cooperate in any authorized surveys by the Tennessee Regulatory Authority.

### Compliance Records

CT will submit reports, as may be required, for use in connection with subcontracting plans by the Tennessee Regulatory Authority and/or the State of Tennessee. CT will cooperate fully with all reasonable and appropriate surveys or studies required by the contracting agency in determining program compliance. However, CT reserves the right to designate documents, reports, surveys and/or studies as "confidential" and/or "proprietary".

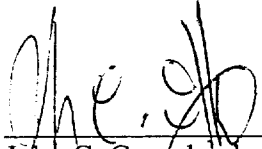
### Record Maintenance

CT will maintain records relating to CT's Small and Minority Owned Telecommunications Business Participation Plan for the purpose of evidencing the implementation of this policy, for use by CT in evaluating the effectiveness of the Plan and in obtaining the goals of the Plan, and for use in updating the Plan on an annual basis with the Tennessee Regulatory Authority, or as otherwise required.

ADOPTED this \_\_\_\_\_ day June, 1999.

### COMMUNITY TELEPHONE CORPORATION

By: \_\_\_\_\_

  
John C. Greenbank  
Vice President

## **Exhibit 5**



## **Community Telephone Corporation IntraLATA Toll Dialing Parity Plan**

### **I. IntraLATA Environment**

Community Telephone Corporation customers will be provided IntraLATA dialing parity via Community Telephone Corporation's local network upon initial approval of this application for facilities based services. Community Telephone Corporation will implement IntraLATA dialing parity in each Community Telephone Corporation local switch installed in Tennessee. This will provide each Community Telephone Corporation customer with full 2-PIC (Primary Interexchange Carrier) selectivity in parity with existing resale services.

### **II. Carrier Selection Procedures**

Utilizing a 2-PIC methodology, customers will be able to pre-subscribe to one telecommunications carrier for interLATA and presubscribe to the same or a different telecommunications carrier for intraLATA toll services. Although a service may be presubscribed, users may reach any carrier by dialing the appropriate access code. All eligible Community Telephone Corporation end user telephone line numbers will be presubscribed according to this plan.

Community Telephone Corporation employees who communicate with the public, accept customer orders and/or service customer accounts have been trained to explain the process and alternatives to customers and assist in the selection of both interLATA and intraLATA carriers.

### **III. Customer Education / Notification**

Community Telephone Corporation has educated our customer services representatives on the 2-PIC availability. Customers contacting Community Telephone Corporation for local service will be offered the opportunity to select an IntraLATA carrier of their choice. A list of currently available IntraLATA carriers is available to the customer upon request. In the event that the customer chooses not to select or have selected

for them, an IntraLATA carrier, a no-pic will be placed on the order. In that event the customer will be required to select a carrier for IntraLATA dialing on a call by call basis using carrier access codes.

Notification of existing customers is not required, as Community Telephone Corporation does not currently provide facilities based services in Tennessee and as such currently does not have an existing customer base.

#### IV. Access to Operator Services and Directory Assistance

Community Telephone Corporation will provide nondiscriminatory access to telephone numbers, operator services, directory assistance, and directory listing services in all areas served. For Operator Services, customers dial "0" to reach their local exchange operator and "00" to reach their interLATA operator service. For Directory Assistance customers dial "1-411" inside Community Telephone Corporation's local service territory and "1-NPA-555-1212" for accessing their interLATA carrier's Directory Service.

#### V. LATAs Served

Community Telephone Corporation intends to offer services in all of the LATAs located in the State of Tennessee. This Plan will be implemented throughout all exchanges in Tennessee.

#### VI. Cost Recovery

There will be no additional charges for the implementation of IntraLATA toll dialing parity within the Community Telephone Corporation switching network. Costs charged by other LEC's which are passed on to Community Telephone Corporation via TRA approved resale agreements will be passed on to customers on a pass-through basis.

#### VII. Charge for PIC changes

Community Telephone Corporation will charge a service fee as outlined in its tariff for customers requesting a PIC change after the installation of their service has been completed. There will be no PIC charge for initial service installation, and there is no PIC change waiver period.

#### VIII. Conformation to FCC and TRA requirements

Community Telephone Corporation will comply with any and all FCC and TRA rules and regulations including those concerning to the provisioning of IntraLATA Toll Parity. Community Telephone Corporation will also conform to any and all anti-slamming rules and regulations approved by both the FCC and the TRA.

#### IX. Anti-Slamming

It is Community Telephone Corporation's policy to educate every employee on the current rules regarding customer slamming. In no event shall an employee issue a PIC change request without the express written consent of the customer via a signed LOA form.

Any customer notifying Community Telephone Corporation that an IXC has slammed them from their desired service will be restored to the carrier of their choice at no charge and notification will be given to the appropriate regulatory authorities of the offending carrier.

## **Exhibit 6**

**BEFORE THE  
TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

**IN RE:**

**APPLICATION OF COMMUNITY TELEPHONE CORPORATION )  
FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND ) Docket  
No. \_\_\_\_\_  
NECESSITY TO PROVIDE  
SWITCHED AND SPECIAL ACCESS LOCAL )  
EXCHANGE AND RESALE SERVICES )**

**PREFILED TESTIMONY**

**OF**

**LOHN WEBER**

**Chief Financial Officer, Vice President and Treasurer  
Community Telephone Corporation**

- 1 Q1. Will you please state your name and business address?
- 2 A1. My name is Lohn Weber. My business address is 8829 Bond Street,  
3 Overland Park, Kansas 66214.
- 4 Q2. By whom are you employed and in what capacity?
- 5 A2. I am currently employed by Community Telephone Corporation, which I  
6 will refer to in my testimony as CTC, and currently have the positions of  
7 Chief Financial Officer, Vice President and Treasurer. I hold the same  
8 positions with QCC, Inc., Kentucky Data Link, Inc., and Q-Comm  
9 Corporation, the parent company of those sister corporations.
- 10 Q3. Can you describe generally what your responsibilities are in that position?
- 11 A3. I am responsible for all financial aspects of those corporations.

1 Q4. What is the purpose of your testimony?

2 A4. The purpose of my testimony is to present evidence as to the financial  
3 ability of CTC to provided facilities-based local exchange, intrastate  
4 interexchange, switched access, and special access services in Tennessee.

5 Q5. Does CTC have the financial ability to provide intrastate interexchange,  
6 facilities-based local exchange, switched access, and special access  
7 services in Tennessee? If so, why?

8 A5. Yes. CTC is financially qualified to operate as a facilities-based local  
9 exchange, switched access, and special access services in Tennessee.  
10 There are a variety of different facts upon which I base that conclusion.  
11 The company has the capital resources required to build and maintain its  
12 network and to provide the proposed services. CTC's statement of  
13 earnings for the last fiscal year (ending September 30, 1999) shows that  
14 the total revenues of CTC equal Twenty-four Million Five Hundred  
15 Ninety-seven Thousand Eight Hundred Eighty-five Dollars (\$24,597,885).  
16 The Company shows a net income of Three Hundred Sixty-five Thousand  
17 Seven Hundred Sixty Dollars (\$365,760). Also, the three-year projected  
18 financial statements CTC has submitted show the financial strength and  
19 viability of CTC to operate as a facilities-based local exchange, switched  
20 access, and special access service provider. At this time, it is my opinion  
21 that CTC will continue to experience strong growth in revenues and assets.  
22 True and correct copies of CTC's balance sheet and income statement as  
23 of September 30, 1999 are attached to this prefiled testimony as Exhibit 3.

1           Additionally, Q-Comm Corporation, CTC's parent company, completed a  
2           minority investment transaction with a large regional power company.

3           This transaction resulted in a \$25 million equity infusion that raised the  
4           equity value of Q-Comm Corporation to \$125 million.

5       Q6.   Will Q-Comm Corporation guarantee CTC's financial viability in the  
6           foreseeable future?

7       A6.   Yes. Q-Comm Corporation is committed to lending its financial strength  
8           and technical expertise to CTC for the purposes of insuring that CTC has  
9           the financial, technical, and managerial ability to provide facilities-based  
10          local exchange, intrastate interexchange, switched access, and special  
11          access services in the State of Tennessee.

12      Q7.   What will be the approximate cost to CTC for building the proposed  
13          network?

14      A7.   The cost of the proposed network including the switching equipment will  
15          be approximately Two Million Dollars (\$2,000,000).

16      Q8.   Mr. Weber, where will CTC acquire the necessary funding to cover the  
17          proposed network?

18      A8.   Funding will be obtained from internally generated sources, from vendor  
19          financing or from bank financing through our major lender Bank of  
20          America.

21      Q9.   Mr. Weber, including your testimony you have given today, do you affirm  
22          that all financial information submitted by CTC to the Tennessee  
23          Regulatory Authority in conjunction with the Petition is accurate and true?

1       A9.    Yes, all said information provided to the Tennessee Regulatory Authority  
2            is accurate and true.

3       Q10.  Does this conclude your testimony?

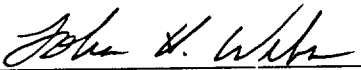
4       A10.  Yes.



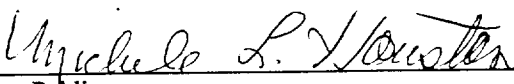
## VERIFICATION and NOTARY

State of Kansas            )  
                                  )  
Count of Johnson         )       ss.

I, Lohn H. Weber, an officer of Community Telephone Corporation authorized to represent Community Telephone Corporation in this matter, by my signature below, do hereby verify that the above said testimony was given by myself on this day, January 22, 2001.

  
\_\_\_\_\_  
Lohn H. Weber  
Vice President and CFO, Community Telephone Corporation

Sworn and subscribed before me, the undersigned authority in and for the said jurisdiction above, the within named Lohn H. Weber, this 22nd day of January 2001.

  
\_\_\_\_\_  
Notary Public

My Commission Expires:

11-6-2004

**BEFORE THE  
TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

**IN RE:**

**APPLICATION OF COMMUNITY TELEPHONE CORPORATION )  
FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND )     Docket  
No. \_\_\_\_\_  
NECESSITY TO PROVIDE INTRASTATE INTEREXCHANGE )  
SERVICES AND SWITCHED AND SPECIAL ACCESS LOCAL )  
EXCHANGE AND RESALE SERVICES )**

**PREFILED TESTIMONY**

**OF**

**JOHN GREENBANK**

**Executive Vice President  
Community Telephone Corporation**

- 1     Q1.   Will you please state your name and business address?
- 2     A1.   My name is John Greenbank. My business address is 1419 West Lloyd
- 3           Expressway, Suite 100, Evansville, Indiana, 47710.
- 4     Q2.   By whom are you employed and in what capacity?
- 5     A2.   I currently hold the position of Executive Vice President of Community
- 6           Telephone Corporation, which I will refer to in my testimony as CTC.
- 7     Q3.   Please give a brief description of your background and experience.
- 8     A3.   I have over 17 years of experience within the telecommunications
- 9           industry. During my first ten years within the industry, I worked as an
- 10          applications engineer with Sound Engineering and Design Company, of
- 11          Springfield, Missouri, and as a senior applications engineer for American

1 Telephone Distributors, located in Kansas City, Missouri. In 1992, CSI  
2 Corporation, a Kansas City interconnect company, hired me as president.  
3 From there, I became and currently service as a Vice President of QCC,  
4 Inc. I am also currently President of Kentucky Data Link, Inc. (KDL), and  
5 I am a shareholder of Q-Comm Corporation, a privately held Nevada  
6 corporation, which is the parent company of QCC, Inc., KDL, and  
7 Community Telephone Corporation. My focus at CTC is to oversee the  
8 operations, product development, telecommunications training, and  
9 general management of the company as a whole. I have also served as a  
10 consultant to Digital Telecommunications Incorporations of Jackson,  
11 Tennessee, a switch manufacturer.

12 Q4. What is the purpose of your testimony?

13 A4. The purpose of my testimony is to present evidence on the technical and  
14 managerial capabilities of CTC to provide facilities-based local exchange,  
15 intrastate interexchange, switched access, and special access services in  
16 Tennessee and to describe the services CTC proposes to offer. Mr. Lohn  
17 Weber will present evidence of CTC's financial ability to offer the  
18 proposed services.

19 Q5. Has CTC registered to do business in Tennessee?

20 A5. Yes. Community Telephone Corporation received a Certificate of  
21 Authority in Tennessee on January 11, 1996. A true and correct copy of  
22 Community Telephone Corporation's certificate is attached at Exhibit 1.

23 Q6. Please describe the services CTC proposes to offer.

1       A6.    With respect to its local exchange offerings, CTC intends to provide all  
2               forms of intrastate telecommunications services, including basic exchange  
3               services, custom and CLASS features, ancillary services such as 911,  
4               E911, directory listings, directory assistance, etc. and special access  
5               services. CTC's rates for its local exchange end user offerings will depend  
6               largely upon its costs.

7       Q7.    How are trouble reports handled?

8       A7.    CTC understands the importance of effective customer service for local  
9               service customers. CTC has made arrangements for its customers to call  
10              the company at its toll- free customer service number 1-888-703-1700. In  
11              addition, customers may contact the company in writing at the  
12              headquarters address, as well as via email at  
13              csr@communitytelephone.com. The toll free number will be printed on  
14              the customer's monthly billing statements.

15      Q8.    How are billing errors and complaints handled?

16      A8.    Billing errors and complaints will be handled by the CTC Customer  
17              Service Center during normal business hours. After hours calls that are  
18              not of an emergency nature are recorded and handled the following  
19              business day.

20      Q9.    Do you believe CTC has the managerial capability of delivering its  
21              proposed services in Tennessee?

22      A9.    Yes. CTC has a team of experience telecommunication and business  
23              managers. Brief resumes of key personnel are included with the filed

1           Petition as Exhibit 2.

2       Q10. Do you believe CTC has the technical capability of delivering its proposed  
3           services in Tennessee?

4       A10. Yes. CTC has experience in providing facilities-based local exchange,  
5           intrastate interexchange, switched access, and special access services.  
6           CTC's current facilities services offered in Kentucky and Indiana attest to  
7           our abilities to operate as a viable facilities based local exchange,  
8           intrastate interexchange, switched access, and special access provider.  
9           The expansion of CTC's network into Tennessee will not only improve  
10          the quality of its facilities-based local exchange, intrastate interexchange,  
11          switched access, and special access services, but will also expand the  
12          product options available to customers in Tennessee.

13      Q11 Has CTC previously requested any type of authority from this  
14          Commission, and is CTC related either directly or indirectly with any  
15          other certified telecommunication services provider in the State of  
16          Tennessee? If so, describe that affiliation or relationship.

17      A11. Yes. CTC obtained a CTA to offer resold interexchange  
18          telecommunication services and to provide operator services in Tennessee  
19          in Case No. 95-03300, dated November 10, 1995, and on July 30, 1997,  
20          CTC was authorized to offer local resale in the State of Tennessee. A  
21          sister corporation, QCC, Inc., was granted the authority by this  
22          Commission to resell interexchange telecommunications in Tennessee in  
23          Case No. 95-02906, dated August 23, 1995. Another sister company,

1 KDL, was granted the authority by this Commission to provide intrastate  
2 telecommunications services as an interexchange carrier in Case No. 99-  
3 00408, dated May 22, 2000.

4 Q12 Where in Tennessee does CTC intend to offer its services?

5 A12. CTC is seeking authority to offer its services throughout the State of  
6 Tennessee.

7 Q13. How will consumers in Tennessee benefit from CTC's services?

8 A13. We believe that granting CTC the requested authority will serve the public  
9 interest and necessity as it will provide Tennessee consumers a greater  
10 choice of telecommunication services providers within the state and will  
11 promote competition amongst local exchange, intrastate interexchange,  
12 switched access, and special access providers in the state.

13 Q14. Is CTC aware of the rules and policies of the Tennessee Regulatory  
14 Authority regarding the provisioning of telecommunication services and  
15 will it adhere to said rules, policies and orders?

16 A14. Yes, CTC is familiar with and will strictly adhere to the rules, policies and  
17 orders of the Tennessee Regulatory Authority. CTC has directed its  
18 regulatory department in working with and adhering to the administrative  
19 rules, policies and orders of the Tennessee Regulatory Authority. Joe  
20 Buck will serve as point of contact for this department.

21 Q15. In accordance with Section 65-5-213 of the Tennessee Code, does CTC  
22 acknowledge the importance of supporting small and minority owned  
23 telecommunications businesses and does it agree to contribute its share to

1           the fund established by the Tennessee Department of Economic and  
2           Community Development?

3       A15.   Yes, CTC acknowledges the importance of supporting small and minority  
4           owned telecommunication businesses and will fully contribute its share to  
5           the said fund. Also, CTC by my direction and hand has effectuated a  
6           Small and Minority Owned Telecommunications Business Participation  
7           Plan, and a copy of said plan, effective June 14, 1999, was attached to  
8           the Petition as Exhibit 4.

9       Q16.   Mr. Greenbank, including the testimony you have given today, do you  
10           affirm that all information submitted to the Tennessee Regulatory  
11           Authority in conjunction with the Petition is accurate and true?

12      A16.   Yes, all said information provided to the Tennessee Regulatory Authority  
13           is accurate and true.

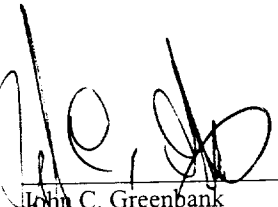
14      Q17.   Does this conclude your testimony?

15      A17.   Yes.

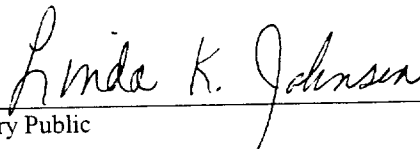
## VERIFICATION and NOTARY

State of Indiana            )  
                                      )  
Count of Vanderburgh    )       ss.

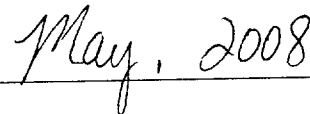
I, John C. Greenbank, an officer of Community Telephone Corporation authorized to represent Community Telephone Corporation in this matter, by my signature below, do hereby verify that the above said testimony was given by myself on this day, January 23, 2001.

  
\_\_\_\_\_  
John C. Greenbank  
Executive Vice President

Sworn and subscribed before me, the undersigned authority in and for the said jurisdiction above, the within named John C. Greenbank, this 23rd day of January 2001.

  
\_\_\_\_\_  
Notary Public

My Commission Expires:

  
\_\_\_\_\_